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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/910,617 | 07/20/2001 | Yuichiro Ikemoto | 09792909-5094 | 2179 |

26263 7590 08/04/2003

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EXAMINER

NGUYEN, THINH H

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|------------------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/910,617 | IKEMOTO ET AL <i>(initials)</i> |
| | Examiner | Art Unit |
| | Thinh H Nguyen | 2861 |

-- The MAILING DATE of this communication appears in the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 11-14 and 24-27 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 11-14, 24-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed July 11, 2003 have been fully considered. However, arguments with respect to claims 13-14 are moot in view of the new ground(s) of rejection.

The indicated allowability of claims 11-12, 24-27 are also withdrawn in view of the above rejections, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11-14, 24-27 are rejected under 35 U.S.C. § 102(b) as being anticipated by Allen et al. (U.S.5,469,199)

Allen (figs.1A, 2, 5-6) discloses every element of the instant claimed printhead for use in the printer, including a single piezoelectric layer covers the openings of each of the plurality of pressure chambers. (see also col.2)

A printer, comprising:

at least one ink-ejecting mechanism (24,27), the at least one ink-ejecting mechanism having a printer head;

at least one head chip (42) formed on the printer head, the at least one head chip being formed in an array pattern on the printer head (10); and

a plurality of nozzles formed within a plurality of nozzle arrays positioned on a nozzle plate (18), each nozzle array corresponding to a different color (col.4, lines 33-37; col.6, lines 3-6) wherein nozzles associated with one nozzle array and nozzles associated with an adjacent nozzle array partly overlap along at least one direction to form an overlapped area on a print object such that when the at least one ink ejecting mechanism drives across the print object the nozzles of the one nozzle array and the nozzles of the adjacent nozzle array respectively eject inks which are mixed in the overlapped area to reduce dot density differences on the print object, wherein the nozzles are placed on the nozzle plate almost as wide as the print object (col.14, lines 12-18) to form the nozzle array in a direction perpendicular to the feeding direction of the print object.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thinh Nguyen whose telephone number is (703) 308-7487.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

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Thinh Nguyen

July 30, 2003

Thinh Nguyen
Primary Examiner
Technology Center 2800